



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 15-1455

Released: December 18, 2015

COMMENTS INVITED ON APPLICATION OF ELECTRA TELEPHONE COMPANY TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 15-316
Comp. Pol. File No. 1266

Comments Due: January 19, 2016

Section 214 Application

Applicant: Electra Telephone Company

On November 30, 2015, **Electra Telephone Company** (Electra or Applicant), located at **221 N. Main St., Electra, TX 76360**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commission's rules,² to discontinue certain domestic telecommunications services in its service area in Wichita County, Texas (Service Area).³ On December 17, 2015, Electra filed an amendment to update the record regarding the notice provided to customers.⁴ Accordingly, Electra's application is deemed complete as of December 17, 2015.

Electra indicates that it currently offers certain operator services, including Busy Line Verification and Busy Line Interrupt services in the Service Area (collectively, Affected Services). Electra describes Busy Line Verification service as a service that allows a company operator to determine and report the status of an exchange line (conversation in progress/no conversation in progress) at the request of a calling party. Electra explains that Busy Line Interrupt service allows a company operator, at the request of a calling party, to determine and report that a conversation is in progress on a busy line and to interrupt the conversation to inform the parties that another party wants to place a call to the line. Electra asserts, however, that there is no customer demand for the Affected Services and that company records indicate that no customers are making use of the services. Accordingly, Electra submits that it plans to discontinue the Affected Services in the Service Area on or after January 30, 2016, pending regulatory approval. Electra indicates that it sent notice of the proposed discontinuance to all affected customers via bill notification on

¹ 47 U.S.C. § 214.

² 47 CFR § 63.71.

³ See Section 63.71 Application of Electra Telephone Company for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service, WC Docket No. 15-316 (filed Nov. 30, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001319819> (Application).

⁴ See Letter from Benjamin H. Dickens, Jr. and Salvatore Taillefer, Jr., Attorneys for Electra Telephone Company, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 15-316 (filed Dec. 17, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001360137>.

November 25, 2015. Electra submits that this is the usual method by which the company provides notices of this kind throughout the year, and that its customers expect to receive regulatory notices in this manner. The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance. Electra asserts that it is an incumbent local exchange carrier and considered dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(d) of the Commission's rules, Electra's application will be deemed granted automatically on February 16, 2016, the 60th day after the release date of this Public Notice, unless the Commission notifies Electra that the grant will not be automatically effective.⁵ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which an applicant is authorized to discontinue, reduce, or impair service. In the Application, Electra indicates that it plans to discontinue the Affected Services in the Service Area on or after January 30, 2016, pending regulatory approval. Accordingly, pursuant to section 63.71(d), and the terms of the Application, absent further Commission action, Electra may discontinue, reduce or impair the Affected Services in the Service Area on or after **February 16, 2016**, in accordance with Electra's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected. For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission's decision, the date of "public notice" shall be the latter of the auto grant date stated above in this Public Notice, or the release date of any further public notice or order announcing final action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and the docket will be closed.

Comments objecting to this application must be filed with the Commission on or before **January 19, 2016**. Such comments should refer to **WC Docket No. 15-316 and Comp. Pol. File No. 1266**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁶ Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol

⁵ See 47 CFR § 63.71(d) (stating, in relevant part, that an application filed by a dominant carrier "shall be automatically granted on the 60th day... unless the Commission has notified the applicant that the grant will not be automatically effective.").

⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Copies of the comments may also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers, or faxed to the FCC at (202) 418-1413, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.⁷ Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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⁷ 47 CFR §§ 1.1200 *et seq.*